

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 3612

In re patent application of:

Daniel Trost

U.S. Application Serial No.: 10/592,983

Confirmation No.: 7330

Filed: June 6, 2008

Examiner: Black, Melissa Ann

Title: "Actuation Device for a Flap Element"

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR §1.56, §1.97 and §1.98

Copies of all foreign patent documents cited in the attached Form PTO/SB/08A are submitted herewith.

In addition, machine translations generated by the EPO website are attached to the respective foreign patent documents to serve as explanations in English of these references. Several of the foreign patent documents also include English abstracts prepared by the EPO.

Furthermore, the English-translations of the ISR and IPER for the parent PCT application have been submitted herewith and serve as further concise explanations in English of several of the foreign patent documents.

An examination report prepared by the German Patent & Trademark Office for the priority DE application (10 2004 013 403.0) and dated 9 December 2004 includes the following analysis of the references cited therein:

“(1) DE 25 30 321 B

(2) DE 931 710 C

The subject matter of claim 1 concerns an actuation device for a flap element having at least one wall element that is pivotable between a first and a second position, wherein the actuation device comprises a fixedly borne spring element that traverses a point of maximum elastic deformation by interacting with the wall element during pivoting of the wall element between its first and second position. Such a device is commonly characterized as a spring hinge. There are spring hinges in very different embodiments, of which documents (1) and (2) show two old designs.

The inventive step also can not be established by the use of a spring hinge in the vehicle field, because spring hinges are familiar to the skilled person and are used in a wide-variety of technical fields.”

Lastly, it is noted that US 4,100,648 claims priority to DE 25 30 321 and thus serves as an additional explanation in English of this foreign patent document. Further, an English translation of the granted claims is already provided within EP 1 228 914 B1.

In accordance with 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists.

Further, in accordance with 37 CFR §1.97(h), no concession is made that any of these documents is prior art under US patent law and the Applicant hereby expressly reserves the right to argue against and/or antedate the cited information as may be appropriate.

Respectfully submitted,

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